

**Translation**

**PATENT COOPERATION TREATY**

PCT/EP2003/013361



**PCT**

**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P 2936/PCT B/HE	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/013361	International filing date (day/month/year) 27 November 2003 (27.11.2003)	Priority date (day/month/year) 07 February 2003 (07.02.2003)
International Patent Classification (IPC) or national classification and IPC G05G 9/047		
Applicant WITTENSTEIN AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 19 August 2004 (19.08.2004)	Date of completion of this report 25 February 2005 (25.02.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/013361

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages \_\_\_\_\_, 1, 3-8 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, 2, 2a \_\_\_\_\_, filed with the letter of 07 February 2005 (07.02.2005)
- ☒ the claims:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, 1-13 \_\_\_\_\_, filed with the letter of 07 February 2005 (07.02.2005)
- ☒ the drawings:  
 pages \_\_\_\_\_, 1/3-3/3 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/ or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/13361

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims	1-13	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

### 2. Citations and explanations

This report makes reference to the following document:

D1: US 6 057 828

Document D1 is considered to constitute the prior art closest to the subject matter of claim 1 and discloses (the references in parentheses are to that document):

a device for controlling a simulator, the device having a handle mounted so as to be movable about two approximately perpendicular axes, the axes lying on different planes and being mutually offset, and a frame element engaged by two approximately perpendicular drive elements joined to the frame element perpendicularly to one another in the axes.

The subject matter of claim 1 therefore differs from the known device in that the axes are mutually offset by a given offset and in that the drive elements comprise an electronic regulator, possibly with an integrated force regulation and motor regulation system, a connected electric motor and a gearbox arranged downstream, and in that the handle can be actively swivelled about the axes and controlled by the drive elements, a force feedback being made possible by the drive elements and force

sensor, as well as an active control of the handle.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The present invention can therefore be considered to address the problem of achieving a simple and economic device which ensures an exact control.

The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) for the following reasons:

Nothing in the search report citations suggests to a person skilled in the art the mutual offset in a controller as defined in D1 of the axes of the two drive elements, as defined in the characterising part of claim 1. The measure which consists in mutually offsetting the axes of the two drive elements results from a step which is not an obvious development of the cited prior art. The controller as per claim 1 therefore involves an inventive step.

Claims 2-13 are dependent on claim 1 and therefore likewise meet the PCT novelty and inventive step requirements.